



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,175	07/15/2005	Samuel S. Tenenbaum	04224/100L543-US1	5717
7278	7590	06/05/2006	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			NGUYEN, PHUOC H	
			ART UNIT	PAPER NUMBER
			2143	
DATE MAILED: 06/05/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/518,175	Applicant(s) TENEMBAUM ET AL.	
	Examiner Phuoc H. Nguyen	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/15/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the application filed on December 14, 2004.
2. Claims 1-37 are presented for examination.

Oath/Declaration

3. The Office acknowledges receipt of a properly signed Oath/Declaration filed on July 15, 2005.

Information Disclosure Statement

4. The applicants' Information Disclosure Statement, filed December 14, 2004 has been received, entered into the record, and considered. See attached form PTO 1449.

Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Objections

5. Claims 18, 21, and 33 are objected to because of the following informalities:

Art Unit: 2143

Re claim 18, the applicant is advised to rewrite the phrase “The control server of claim 17 wherein the chat control is constructed ...” in line 1 as “The control server of claim 17 wherein the chat controller is constructed ...” for clarification.

Re claim 21, the applicant is advised to remove or delete duplicated phrase “each user” in line 8.

Re claim 33, the applicant is notified that claim 33 has the exact same limitations as cited in claim 18. Thus, claim 33 is a duplicated claim of claims 18.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 22 contains the trademark/trade name **Flash**. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or

Art Unit: 2143

trade name. In the present case, the trademark/trade name is used to identify/describe **Flash program** and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 11-20, 30-33, and 37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11-20, 30-33, and 37 cite a control server for enabling intercommunication among a plurality of user accessing the same Internet web page. In order for claims to be statutory, claims must either include a practical application at useful end or a concrete, useful, and tangible result. However, claims 11-20, 30-33, and 37 merely disclose a signal generator for generating a plurality of signals to client computers over the network in software, which is considered as software pro-se and does not have tangible result. Therefore, claims 11-20, 30-33, and 37 are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

Art Unit: 2143

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-7, 11-17, 21, 26-28, 30-32, and 34-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Noma et al. (Hereafter, Noma) U.S. Patent 6,954,902.

Re claim 1, Noma discloses in Figure 1 a method for enabling intercommunication among a plurality of users (e.g. client computers 2-1 and 2-2) accessing the same Internet web page (e.g. Internet 3), each user accessing the Internet through a respective client computer (Figure 1; col. 4 lines 31-37), the web page operating on a content server computer (e.g. www server 11), the method comprising the steps of, when a first user requests intercommunication service via a first client computer (e.g. client computer 2-1, col. 4 lines 46-49): sending from a control server (e.g. chat server 12) to the first client computer a first signal which creates on the first client computer's display of the web page a resident animated character (e.g. shared data initiate from server to client showing the behaviors of avatar 23a; col. 5 lines 48-61) which the first user controls the appearance (e.g. the avatar 23a is shrinking before vanishing, col. 7 lines 33-35), position (e.g. XY coordinates of the avatar 23a, col. 6 lines 31-33), movement (e.g. movement of the avatar 23a, col. 6 lines 65 through col. 7 lines 4), and any multimedia output produced by the resident character (e.g. the balloons showing texts of utterances of the user on top of the avatar 23a, col. 6 lines 45-47); and sending from the control server to the first client computer a second signal which creates on the first client computer's display of the web page a visitor animated character (e.g. shared data initiate from server to client showing the behaviors of avatar 23b as shown in Figure 4a and col. 5 lines 48-61) which is entirely out of the first user's control (e.g. each of the avatar 23a and 23b is controlling by each client computer), the control server controlling at least the appearance, position, movement, and any multimedia output

Art Unit: 2143

produced by the visitor character in accordance with a signal received by the control server from a second client computer (e.g. the appearance, position, movement, and multimedia out is depend upon the shared data is transmitted by the client computer by way of chat server, col. 12 lines 38-45; col. 6 lines 31-47; col. 7 lines 33-35; and col. 8 lines 37-61).

Re claim 2, Noma further discloses the first and second signals install first and second computer subprograms (e.g. computer-executable codes, col. 11 lines 65 through col. 12 lines 2, and col. 15 claim 19) which are executed on the first user's presentation of the web page, the first computer subprogram including a login process which initiates the resident character (e.g. Noma teaches computer-executable codes including a login process which display the icon (e.g. resident character or avatar 23) on the user display and displaying a message issued by user accessing a same page which is transmitted to the client computer, Figure 13, col. 12 lines 30-45 and col. 15 claim 19) and a client listening process which remains on the first client computer and responds to incoming signals from the control server (e.g. the process of receiving and responding to message between avatars 23a and 23b as seem in figure 4a by way of a chat server, col. 12 lines 30-45; and col. 15 claim 19).

Re claim 3, Noma further discloses the second signal creates a plurality of visitor characters, each controlled by the control server in accordance with a signal received from a different client computer (Figure 12 disclose a plurality of a numbers of users participate in a chat through the same web page and each of these character is controlled by a different user participants, col. 7 lines 60 through col. 8 lines 3).

Re claim 4, Noma further discloses the step of operating a listening process on the control server (e.g. chat server) which is responsive to a signal received from any client computer (e.g.

Art Unit: 2143

chat server receive a share data (e.g. signal) showing a text of a chat and a behavior of an avatar or the like from client computer 2 and transmits a text of a chat and this shared data showing the behaviors of avatars and the like to all the participants in the chat session, col. 5 lines 56-61).

Re claim 5, Noma further discloses when the received signal is indicative of a change in appearance, position, movement, or any multimedia output (e.g. behavior of an avatar or the like) produced by the character corresponding to one of the users, generating a control signal representing the change and sending the control signal to the client computers of the users other than the one user (e.g. chat server receive a share data (e.g. signal) showing a text of a chat and a behavior of an avatar or the like from client computer 2 and transmits a text of a chat and this shared data showing the behaviors of avatars and the like to all the participants in the chat session, col. 5 lines 56-61).

Re claim 6, Noma further discloses when one of the other users receives the control signal, that user's representation of the character corresponding to the one user is changed accordingly (col. 6 lines 65 through col. 7 lines 4).

Re claim 7, Noma further discloses the control server opens a new chat room when an initial user requesting intercommunication enters a web page (e.g. figure 14 show that user can initiate the chat room by entering the appropriate participant that the user want to chat with, col. 9 lines 14-25) or when all existing chat rooms corresponding to the web page are full.

Re claim 11, it is a machine claim of claim 1. Thus, claim 11 is also rejected in the same rationale as cited in the rejection of rejected claim 1.

Re claim 12, it is a machine claim of claim 2. Thus, claim 12 is also rejected in the same rationale as cited in the rejection of rejected claim 2.

Re claim 13, it is a machine claim of claim 3. Thus, claim 13 is also rejected in the same rationale as cited in the rejection of rejected claim 3.

Re claim 14, it is a machine claim of claim 4. Thus, claim 14 is also rejected in the same rationale as cited in the rejection of rejected claim 4.

Re claim 15, it is a machine claim of claim 5. Thus, claim 15 is also rejected in the same rationale as cited in the rejection of rejected claim 5.

Re claim 16, it is a machine claim of claim 6. Thus, claim 16 is also rejected in the same rationale as cited in the rejection of rejected claim 6.

Re claim 17, it is a machine claim of claim 7. Thus, claim 17 is also rejected in the same rationale as cited in the rejection of rejected claim 7.

Re claim 21, Noma discloses a method for enabling communication between users accessing a web page on a computer network (e.g., Figure 1), each user being connected to the network through a respective client computer (e.g., client computer 2-1) using an operating system which produces multilayer window images on a computer screen (e.g., Figure 4a), the web page operating on a content server computer connected to the network, said method comprising the steps of: creating at least one transparent layer over the display of the web page on the users' computers (e.g., figure 4a, a chat layer 21 display being superposed on the HTML display layer 22 which represent as the transparent layer, col. 6 lines 36-44); introducing for each user each user an animated character object (e.g., avatar icons 23a and 23b) on the at least one transparent layer (col. 6 lines 26-35); providing code with each character permitting the corresponding user to control at least one of appearance (e.g. the avatar 23a is shrinking before vanishing, col. 7 lines 33-35), position (e.g. XY coordinates of the avatar 23a, col. 6 lines 31-33),

Art Unit: 2143

movement (e.g. movement of the avatar 23a, col. 6 lines 65 through col. 7 lines 4), and any multimedia output produced by produced by the respective character (e.g. the balloons showing texts of utterances of the user on top of the avatar 23a, col. 6 lines 45-47, and wherein each of the control point is provided by information sharing processing program in which comprising an computer executable code configure to display icon, col. 15 claim 19); providing a control server (e.g. chat server) on the network which is in communication with the client computers and relays communications between them (e.g. chat server receive a share data showing a text of a chat and a behavior of an avatar or the like from client computer 2 and transmits a text of a chat and this shared data showing the behaviors of avatars and the like to all the participants in the chat session, col. 5 lines 56-61 and col. 12 lines 38-45); whereby a chat room for the two users is created over the web page (Figure 4a discloses avatar icons 23a and 23b is performing chatting message 25a and 25b over the web page, in which avatar icons 23a and 23b is representing the client computer 2-1 and client computer 2-2 of figure 1).

Re claim 26, it has the same limitation as cited in claim 3. Thus, claim 26 is also rejected in the same rationale as cited in the rejection of rejected claim 3.

Re claim 27, it has the same limitation as cited in claim 4. Thus, claim 27 is also rejected in the same rationale as cited in the rejection of rejected claim 4.

Re claim 28, it has the same limitation as cited in claim 7. Thus, claim 28 is also rejected in the same rationale as cited in the rejection of rejected claim 7.

Re claim 30, it is a machine claim of claim 3. Thus, claim 30 is also rejected in the same rationale as cited in the rejection of rejected claim 3.

Re claim 31, it is a machine claim of claim 4. Thus, claim 31 is also rejected in the same rationale as cited in the rejection of rejected claim 4.

Re claim 32, it is a machine claim of claim 7. Thus, claim 32 is also rejected in the same rationale as cited in the rejection of rejected claim 7.

Re claim 34, Noma further teaches the step of creating a storage facility in which a character may leave a message for another character (Figure 13 col. 8 lines 41-61).

Re claim 35, Noma further teaches the communications relayed by the control server include at least one of: a user's modification of the appearance or position of his character a user's movement of his character; and a user's creation of multimedia output through his character (e.g. chat server receive a share data a behavior of an avatar or the like from client computer 2 and transmits (e.g., relay) this shared data showing the behaviors of avatars and the like to all the participants in the chat session, col. 5 lines 56-61, col. 6 lines 31-33, and col. 12 lines 38-45).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 8, 18, and 33 are rejected under 35 U.S.C. 103(a) as being obvious over Noma et al. (Hereafter, Noma) U.S. Patent 6,954,902 in view of Liles et al. (Hereafter, Liles) U.S. Patent 5,880,731.

Art Unit: 2143

Re claim 8, Noma discloses a chat server which provide a communication among plurality of users by open up a chat room when an initial user requesting intercommunication enters a web page and further discloses that the chatting partner capable of selecting by filtering which chat partners that the user willing to chat with (Figure 14); however, Noma fails to teach control server adds a user requesting intercommunication to an existing chat room which is not full.

Liles teaches control server (e.g. control host) adds a user requesting intercommunication to an existing chat room which is not full (col. 13 lines 16-25).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Liles's teaching into Noma's method to add the a user to an existing chat room which is not full because the limit of system or communication session where too many participant would slow down to response time (e.g., delay in the network) and too many concurrent conversations will distract a particular participant from his/her interested conversation (col. 2 lines 54-56).

Re claim 18, it is a system claim of claim 8. Thus, claim 18 is also rejected in the same rationale as cited in the rejection of rejected claim 8.

Re claim 33, it is a system claim of claim 8. Thus, claim 33 is also rejected in the same rationale as cited in the rejection of rejected claim 8.

14. Claims 9, and 19 are rejected under 35 U.S.C. 103(a) as being obvious over Noma et al. (Hereafter, Noma) U.S. Patent 6,954,902 and Liles et al. (Hereafter, Liles) U.S. Patent 5,880,731 further in view of Proter U.S. Patent 6,434,599.

Re claim 9, Noma and Liles teaches a chat server which provide a communication among plurality of users by open up a chat room; however, Noma and Liles do not explicitly teach control server closes a chat room when the last user remaining in the chat room exits therefrom.

Proter, in the same field of establishing a chat session, teaches a chat session manager (e.g., chat server) terminate the chat session (e.g., chat room) when the “quit” command is received from the last participant (col. 6 lines 33-35, and col. 8 lines 57-62).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Proctor’s teaching into Noma’s and Liles’s teaching for the control server to closes a chat room when last user remaining in the chat room exits because by closing the chat room the chat session manager can allocates the resources more appropriately (col. 8 lines 45-50).

Re claim 19, it is a machine claim of claim 9. Thus, claim 19 is also rejected in the same rationale as cited in the rejection of rejected claim 9.

15. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being obvious over Noma et al. (Hereafter, Noma) U.S. Patent 6,954,902, Liles et al. (Hereafter, Liles) U.S. Patent 5,880,731, Proter U.S. Patent 6,434,599 and further in view of Okawa et al. (Hereafter, Okawa) U.S. Pub. No.: 2001/0013054 A1.

Re claim 10, Noma, Liles, and Proter teaches a chat server which provide a communication among plurality of users by open up a chat room when an initial user requesting and control server adds a user requesting intercommunication to an existing chat room which is not full, and control server closes a chat room when the last user remaining in the chat room exits

Art Unit: 2143

therefrom; however, Noma, Liles, and Proter do not explicitly teach the chat server opens a private chat room upon the request of a plurality of the users.

Okawa, in the same field of establishing a chat session, teaches chat server opens a private chat room upon the request of a plurality of the users (page 12, 1st paragraph).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Okawa's teaching into Noma's method to incorporate server with capability to provide a private chat room upon users requested, as a result it will limit number of chat participants and further the chats will not become confusing to the users (e.g. Noma col. 9 lines 54-60).

Re claim 20, it is a machine claim of claim 10. Thus, claim 20 is also rejected in the same rationale as cited in the rejection of rejected claim 10.

16. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being obvious over Noma et al. (Hereafter, Noma) U.S. Patent 6,954,902 in view of Segan et al. (Hereafter, Segan) U.S. Pub. No.: 2002/0029252 A1.

Re claim 22, Noma discloses a chat server providing a computer executable code to transmit the avatar icon (e.g., character object) for each chatting partner wherein each avatar is representing each client computer (col. 12 lines 30-45 and col. 15 claim 19); however, Noma fails to teach the character objects are objects in the Flash program.

Segan, in the same field of establishing a chat session, teaches a system capable of providing for multiple users to interact through their respective character icons in the chat room (page 3 paragraph [0023]), and further disclose that all character icon conveyed to a user through

Art Unit: 2143

a readily accessible multi-media software application such "Flash Player" offered by Macromedia (page 7 paragraph [0057]).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Segan's teaching into Noma's method to use the Flash program to provide the character objects, because it would enable to reduce the communication bandwidth due to reducing character objects using Flash (col. 7 paragraph [0057]).

Re claim 23, Noma further discloses a character objects are avatars (col. 5 lines 55-61).

Re claim 24, Noma further teaches the step of creating a storage facility in which a character may leave a message for another character (Figure 13 col. 8 lines 41-61).

Re claim 25, Noma further teaches the communications relayed by the control server, include at least one of: a user's modification of the appearance or position of his character (e.g. chat server receive a share data a behavior of an avatar or the like from client computer 2 and transmits (e.g., relay) this shared data showing the behaviors of avatars and the like to all the participants in the chat session, col. 5 lines 56-61 and col. 6 lines 31-33); a user's movement of his character; and a user's creation of multimedia output through his character.

17. Claim 29 is rejected under 35 U.S.C. 103(a) as being obvious over Noma et al.

(Hereafter, Noma) U.S. Patent 6,954,902 and Proter U.S. Patent 6,434,599.

Re claim 29, Noma teaches a chat server which provide a communication among plurality of users by open up a chat room; however, Noma do not explicitly teach control server closes a chat room when the last user remaining in the chat room exits therefrom.

Proter, in the same field of establishing a chat session, teaches a chat session manager (e.g., chat server) terminate the chat session (e.g., chat room) when the “quit” command is received from the last participant (col. 6 lines 33-35, and col. 8 lines 57-62).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Proctor’s teaching into Noma’s teaching for the control server to closes a chat room when last user remaining in the chat room exits because by closing the chat room the chat session manager can allocates the resources more appropriately (col. 8 lines 45-50).

18. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being obvious over Noma et al.; (Hereafter, Noma) U.S. Patent 6,954,902 in view of Okawa et al. (Hereafter, Okawa) U.S. Pub. No.: 2001/0013054 A1.

Re claim 36, Noma disclose the chat server (e.g., control server) with open up the chat room with plurality of participants such as disclose in Figure 13; however, Noma fails to teach the chat server opens a private chat room upon the request of a plurality of the users.

Okawa teaches chat server opens a private chat room upon the request of a plurality of the users (page 12, 1st paragraph).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Okawa’s teaching into Noma’s method to incorporate server with capability to provide a private chat room upon users requested, as a result it will limit number of chat participants and further the chats will not become confusing (see Noma col. 9 lines 54-60).

Re claim 37, it is also a machine claim of claim 36. Thus, claim 37 is also rejected in the same rationale as cited in the rejection of rejected claim 36.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takakura et al. U.S. Patent 6,981,021

Berkun et al. U.S. Pub. No: 2002/0103920

Shamir et al. U.S. Pub. No: 2004/0225716

Harvey et al. U.S. Patent 6,784,901

Graziani U.S. Pub. No: 2001/0051982

Leahy et al. U.S. Patent 6,219,045

Ohba et al. U.S. Pub. No: 2002/0133551

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919.

The examiner can be reached on Monday - Friday.

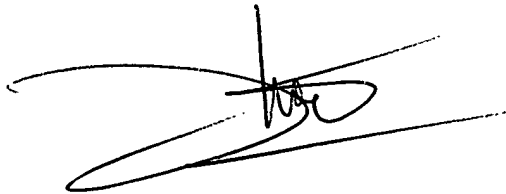
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2143

Information Re the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H Nguyen
Examiner
Art Unit 2143

May 26, 2006

A handwritten signature in black ink, appearing to read 'Phuoc H Nguyen', is written over a horizontal line. The signature is stylized with a large loop and a vertical stroke.